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The Honorable Robert W. Lehrburger  
U.S. District Court for the Southern District of New York

RE: *Chen-Oster, et al. v. Goldman, Sachs & Co.*, No. 10 Civ. 6950 (AT) (RWL)

Dear Judge Lehrburger:

Pursuant to the Court's order addressing preliminary issues regarding Plaintiffs' challenges to Goldman's claims of privilege, Plaintiffs provide the following three appendices:

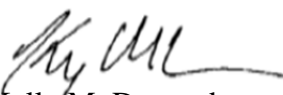
<b><i>Appendix 1</i></b>	50 log entries selected for <i>in camera</i> review, including any attachments contained under the same entry, drawn from Goldman's logs of documents either withheld or redacted on the basis of privilege
<b><i>Appendix 2</i></b>	10 listservs appearing on Goldman's privilege logs with specific points in time selected for identification of listserv authors and recipients
<b><i>Appendix 3</i></b>	200 entries drawn from Goldman's logs of emails withheld on the basis of privilege selected for identification of: (i) subject lines; and, if applicable, (ii) file names for attachments Goldman listed as falling within the same entry

See ECF No. 888 ¶¶ 1-3.

The 50 log entries listed in **Appendix 1** exclude communications with outside counsel and have been selected for one or more reasons previously identified to the Court in the November 14 Joint Status Letter: (a) attorneys are not included on communications; (b) attorneys are merely blind copied; (c) documents concern routine HR business functions; (d) the presence of third parties or brand/marketing employees waives privilege; (e) disclosure is made to a broad distribution list beyond those with a "need to know," rendering any privilege waived; and/or (f) the privilege claimed is not recognized in the Second Circuit.

We thank the Court for its consideration of this matter.

Respectfully submitted,

  
Kelly M. Dermody

  
Adam Klein

cc: all counsel (via ECF)  
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